

## ARTICLE 2. ORDINANCE ADMINISTRATORS

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### 2.1 PURPOSE

The purpose of this Article is to outline the specific powers of the different boards, commissions and officials as they relate to this Zoning Ordinance. This Article summarizes which boards, commissions, and officials make recommendations and grant approvals on zoning applications.

### 2.2 CONFLICT

If the provisions of this Article conflict with Article 4, the provisions of Article 4 control.

### 2.3 DESIGNEES

Certain officials within this section, such as the Executive Director of the City Planning Commission and the Director of the Department of Safety and Permits, are cited as having powers which may also be administered by a designee, indicated in this section by the language "Director's designee." The ability to direct powers to a designee applies to all actions throughout this Ordinance.

### 2.4 CITY COUNCIL

The City Council has the following powers, pursuant to this Ordinance:

- A. To make final decisions on amendments to the Master Plan.
- B. To make final decisions on zoning map and text amendment applications (Section 4.2).
- C. To make final decisions on conditional use applications (Section 4.3).
- D. To make final decisions on planned development applications (Section 4.4).

### 2.5 CITY PLANNING COMMISSION

The City Planning Commission has the following powers, pursuant to this Ordinance:

- A. To make recommendations on zoning map and text amendment applications (Section 4.2).
- B. To make recommendations on conditional use applications (Section 4.3).
- C. To make recommendations on planned development applications (Section 4.4).

- D. To make final decisions on appeals of minor map adjustments of the Future Land Use Map by the Executive Director of the City Planning Commission (Section 4.7).
- E. To make final decisions on appeals of interpretations of the Future Land Use Map by the Executive Director of the City Planning Commission (Section 4.10).
- F. To make final decisions on appeals on those development plan and design review decisions reviewed and approved solely by Executive Director of the City Planning Commission (Section 4.5).

## **2.6 BOARD OF ZONING ADJUSTMENTS**

The Board of Zoning Adjustments has the following powers, pursuant to this Ordinance:

- A. To make final decisions on applications for zoning variance applications (Section 4.6).
- B. To make final decisions on minor map adjustments to the Official Zoning Map (Section 4.7).
- C. To make final decisions on appeals of select administrative decisions by the Director of the Department of Safety and Permits, including, but not limited to, zoning verifications, zoning ordinance interpretations, and sign permits (Section 4.8).

## **2.7 DESIGN ADVISORY COMMITTEE**

The Design Advisory Committee has the following powers, pursuant to this Ordinance, relevant Chief Administrative Officer Policy Memoranda and the City Planning Commission's Administrative Rules, Policies and Procedures:

- A. To make recommendations on development plan and design review applications to the City Planning Commission and/or its staff when required as a condition of development approval (Section 4.5).

## **2.8 EXECUTIVE DIRECTOR OF THE CITY PLANNING COMMISSION**

The Executive Director of the City Planning Commission, or the Director's designee, has the following powers, pursuant to this Ordinance:

- A. To make final decisions on development plan and design review applications when required as a condition of development approval (Section 4.5).
- B. To make final decisions on minor map adjustments to the Future Land Use Map (Section 4.7).
- C. To make final decisions on requests for interpretations of the Official Zoning Map (Section 4.10).

## **2.9 DIRECTOR OF THE DEPARTMENT OF SAFETY AND PERMITS**

The Director of the Department of Safety and Permits, or the Director's designee, has the following powers, pursuant to this Ordinance:

- A. To make final decisions on requests for zoning verifications (Section 4.9).
- B. To make final decisions on requests for zoning text interpretations (Section 4.10).
- C. To make final decisions on applications for sign permits (Section 4.11).

- D. To inspect structures or the use of land to determine compliance with this Ordinance and order corrective action in case of any violation
- E. To enforce all zoning regulations and provisos imposed in conjunction with the approval of conditional uses ordinances, planned unit development ordinances, and variances.
- F. To revoke, suspend, or cancel any permit that has been violated or issued in violation of this Ordinance.

## **2.10 VIEUX CARRE COMMISSION**

Within the Vieux Carré Historic District, no exterior work on a structure is permitted unless a permit has been issued by the Vieux Carré Commission. Provisions for the Vieux Carré Commission and their permit requirements and procedures are located in the City Code. The Vieux Carré Commission shall have no jurisdiction over use, except as provided in the paragraph below.

Within the Vieux Carré Historic District, no occupancy permit shall be issued by the Director of Safety and Permits, for any change in the use of any existing building until and unless a special permit shall have been issued by the Vieux Carré Commission, except that where no change of exterior appearance is contemplated such permit by the Vieux Carré Commission shall not be required. Where any change in exterior appearance is contemplated, the Vieux Carré Commission shall hold a hearing, and if it approves such change, it shall issue a special permit to continue the same use, or for any other use not otherwise prohibited in the district, subject to the following conditions and safeguards:

- 1. The historic character of the Vieux Carré shall not be injuriously affected.
- 2. Signs which are garish or otherwise out of keeping with the character of the Vieux Carré shall not be permitted.
- 3. Building designs shall be in harmony with the traditional architectural character of the Vieux Carré.
- 4. The value of the Vieux Carré as a place of unique interest and character shall not be impaired.

## **2.11 HISTORIC DISTRICT LANDMARKS COMMISSION**

- A. The New Orleans Historic District Landmarks Commission and the Central Business District Historic District Landmarks Commission regulate local historic districts outside of the Vieux Carré Historic District. Prior to commencing any exterior work within a local historic district or on a designated or nominated landmark outside of the designated local historic districts, the applicant shall refer to and comply with the Historic District Landmarks Commission procedures in the City Code. The Historic District Landmarks Commission shall have no jurisdiction over use.
- B. The Historic District Landmarks Commission makes final decisions on requests for classic sign designation (Section 24.15).